

## **Minutes of the Rio Nuevo Multipurpose Facilities District Board**

March 13, 2002 at the Forum Room of the Radisson Hotel, 181 West Broadway, Tucson, Arizona.

### **1. Roll Call**

Chair Suarez called the meeting to order at 6:10 pm. Alice Eckstrom, Corky Poster and Ruben Suarez present, Olivia Hernandez was absent/excused. Staff present: John Jones, Project Director, John Updike, Project Manager, Kay Gray, Treasurer to the Board, Frank Cassidy of the City Attorney's Office, Tim Pickrell, Esq., representing Counsel to the Board, Karen Thoreson, Assistant City Manager of the City of Tucson, and John Alexander, Department of Transportation.

### **2. Approval of Minutes of February 19, 2002**

Ms. Eckstrom moved, Mr. Poster seconded, to approve the minutes. Motion approved unanimously, 11-0.

### **3. Aquarium RFP Status – a) Approval of Feasibility Study**

Mr. Jones outlined for the Board and audience the Procurement process now underway, provided some background as to the creation of the Rio Nuevo Project. Mr. Poster offered some remarks regarding this issue. Mr. Poster thanked those in attendance. Mr. Poster reviewed the fact that the Procurement code of the City governs in many ways the actions of the Board in matters such as these. That code permits the Board to only accept or reject the recommendation that stems from the Procurement process. Mr. Poster noted that the content of the proposals was not made available to the Board, again, pursuant to the Procurement code. Mr. Poster also reviewed the Open Meetings Law and its impact upon the Board's ability to respond to expressed concerns. Mr. Poster noted the thirty or so individuals present today and questioned how any aquarium project could not include such motivated, passionate individuals in its programs and/or operations. Mr. Poster also noted some frustration as to the process and need for the Board's actions and the first Rio Nuevo Project to be "done right". Mr. Poster thanked those who raised issues during the call to the audience, and was appreciative of their concerns.

Mr. Poster asked for a review of the scope of a proposed feasibility study presented to the Board today for consideration. Mr. Jones reviewed the scope of a proposed contract with Piper Jaffray/US Bancorp in the estimated cost of \$25,000. Mr. Jones, in response to Mr. Poster's inquiry, indicated that this study would be particular with respect to the TAC proposal. Mr. Poster indicated his intent not to act on this issue during today's meeting. Ms. Eckstrom moved to postpone action on this item, seconded by Mr. Poster. Motion approved unanimously, 11-0.

### **4. Presentation on Plaza San Agustin**

Jean-Paul Bierny and Chris Tanz (project sponsors), Robert Vint (project architect) and Gary Molenda (representing Industrial Development Authority of City), provided a presentation regarding their proposal, Plaza San Agustin. Background materials regarding the project were included in the agenda package provided previously to the



Board. Mr. Molenda updated the package of information by indicating that the private property owners of the site have expressed interest in the project, and discussions with them will continue. Mr. Poster thanked the group for the presentation, and asked about the ability, legally, for the District to expend funds toward housing. Mr. Pickrell confirmed that the District is not able to be a funding source toward housing, however infrastructure may be an allowable expenditure. Mr. Cassidy indicated that indirect involvement by the District in the project would likely be feasible, and reminded the Board of the District's involvement in the Thrifty Block redevelopment that includes a housing element. If the District owned the property and desired to stimulate development, some level of participation would likely be permissible. Mr. Poster asked if the property's ownership interests were divided similar to a condominium project, whether that might facilitate District participation. Mr. Cassidy indicated that such an effort might permit direct District financial participation.

## **5. Status of I-10 Improvements**

Mr. Alexander of the City's Department of Transportation outlined the five phases of the Interstate 10 reconstruction from Interstate 19 to Prince Road. Mr. Alexander outlined the impacts of depressing the freeway in the vicinity of Congress Street. Ms. Eckstrom asked how this project could occur, given the existing freeway's level of service. Mr. Alexander explained how the frontage roads would be used to carry existing traffic during construction, and then traffic would return to the mainline of Interstate 10 upon completion of the project. Ms. Eckstrom asked about the timeline on the project. Mr. Alexander indicated that an environmental assessment might be required as a next step, and that design would take four years following that assessment. Construction would take two years. Mr. Poster asked if the Arizona Dept. of Transportation (ADOT) is expending funds toward design now. Mr. Alexander indicated that ADOT has not spent funds beyond the general plan for the freeway, or on phases outside of the downtown section under consideration for depression. Mr. Poster was pleased with that response.

Mr. Poster made reference to a recent design competition (Tucson Gateway) sponsored by the Tucson-Pima Arts Council (TPAC), City of Tucson and the NEA, and invited citizens to stop by the TPAC offices at 240 North Stone to view the designs. Mr. Alexander, in response to an audience question, indicated that the proposal to depress the Interstate would not be negatively affected by floodplain issues in the area. The footprint of the proposed depressed version would be very similar to the footprint of ADOT's currently proposed above-ground expansion, and would not require any acquisition.

Mr. Bedford, in the audience, asked for the limits of the proposed depression – which Mr. Alexander indicated would be from St. Mary's Road to 22<sup>nd</sup> Street (the intersections would be similar to existing, the depression would lie in between those intersections). Mr. Bedford also asked about the cost of the proposal. Mr. Alexander indicated that the difference in cost between the depression alternative and the existing ADOT plan is \$55 million.



## **6. Rio Nuevo Block Plat, Blocks 1-15**

### **a) Status of Platting Process**

Mr. Jones indicated that about 70 acres are involved in this plat, about 40 of them developable (30 west of the Santa Cruz River, 10 east of the Interstate). The plat will facilitate addressing environmental, floodplain and redevelopment issues.

### **b) Approval of Grading Fee**

A cost estimate was obtained from a City on-call contractor (Pima Paving, Inc.) for the necessary grading of the site, which is at a total cost of \$330,357.47. In addition to this bid, staff is looking at other mitigation efforts necessary to protect adjacent vegetation, and reduce dust.

Mr. Poster moved that the grading fee as submitted be approved. Ms. Eckstrom seconded the motion. Motion unanimously approved 11-0.

## **7. Council Street Lots**

### **a) Acquisition of NE Corner of Church Ave & Council St.**

### **b) Acquisition of NW Corner of Stone Ave. & Council St.**

Mr. Poster moved that the acquisition of the subject properties be advanced through the appropriate contracts, pursuant to the transactions outlined in the staff memo previously provided to the Board. Ms. Eckstrom seconded the motion. Motion unanimously approved 11-0.

## **8. Project process – City Attorney memo**

Mr. Poster asked that this item be continued until the next meeting. Without objection, so ordered.

## **9. Next Meeting**

The next meeting is scheduled for April 10<sup>th</sup> at the Radisson Hotel. Mr. Jones indicated that if further information regarding item number 3 is available, an additional meeting may be slated prior to that date.

## **10. Future Agenda Items**

Mr. Jones noted that a tentative budget may be provided to the Board at the next meeting, to permit substantial discussion and direction by the Board prior to July, 2002.

## **11. Call to the Audience**



This item was taken out of order, following item #2.

- Francis Gilbert, on behalf of the Sonoran Sea Aquarium, spoke to the question of item #3 of today's agenda, as to the status of the aquarium RFP, and media coverage of the Aquarium group.

- An unidentified man spoke to the master plan for Rio Nuevo, and particularly the Sonoran Sea Aquarium, and its role in the Plan.

- An unidentified woman spoke in support of the Sonoran Sea Aquarium project.

- Julia Armstrong, a board member of the Sonoran Sea Aquarium, questioned the review of the aquarium project submittals.

- Michael Dyer, a board member of the Sonoran Sea Aquarium, questioned the review of the aquarium project submittals.

- An unidentified woman spoke to the educational programs associated with the aquarium project.

- Alfred Alterry, a scientist, spoke to the issue of the type of aquarium sought by the District.

- Dr. Robert Gore, spoke to the issue of the type of aquarium appropriate for Tucson, and to the budget issues confronting the state, and the need for a diversified economy.

- Elisia Bristo spoke to the educational possibilities of an aquarium project.

- Mark Rogers, owner of the Dive Shop in Tucson, questioned the aquarium selection process.

- Ms. Morales referenced the Rancho Shuk-son project in questioning the aquarium selection process.

- Josephina Cardenas spoke about the need for cooperation, and of concerns regarding the barrio residents.

- Dick Bayse spoke about the aquarium selection process.

- An unidentified man spoke about the aquarium selection process.

- An unidentified woman spoke about the business sense of the Sonoran Sea Aquarium.

- Shelby Hawkins spoke about the out of state companies doing business in Tucson and the state.

- An unidentified woman spoke about the aquarium selection process.

- An unidentified man spoke to the question of financial viability of the project, and the .

- Koran Rez, a Sonoran Sea Aquarium proponent, questioned the level of educational experience of the Tucson Aquatic Center group.

Ms. Eckstrom moved to close the call to the audience, Mr. Poster seconded the motion, motion approved unanimously (11-0). The Board returned to item 3 of the agenda at 6:45 pm.

## **12. Adjournment**

Ms. Eckstrom moved for adjournment at 8:24 pm, seconded by Mr. Poster and unanimously approved.